

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI**

SHERRON GLADNEY, )  
                        )  
Plaintiff,           )  
                        )  
vs.                   )              Case No.  
                        )  
MIDLAND FUNDING, LLC, )  
                        )  
Defendant.           )

**NOTICE OF REMOVAL**

Defendant Midland Funding LLC (“Midland Funding” or “Defendant”) hereby files its Notice of Removal of the above-captioned case to this Court and, in support of removal, respectfully states as follows:

1.     Defendant is named in Case No. 2016-CV06156 filed in the Circuit Court of Jackson County, Missouri, styled Sherron Gladney v. Midland Funding, LLC (the “State Court Action”).
2.     The Complaint in the State Court Action was filed with the Circuit Court of Jackson County on or about March 5, 2020. Pursuant to 28 U.S.C. § 1446(a), copies of all process, pleadings and orders served upon Defendant in the State Court Action are attached hereto as **Exhibit A**.
3.     In the State Court Action, Plaintiff alleges Defendant violated the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. § 1692, et seq.
4.     Any civil action is removable if the plaintiff could have originally brought the action in federal court. See 28 U.S.C. § 1441(a).
5.     This Court has original jurisdiction over the subject action pursuant to 28 U.S.C. § 1331, because Plaintiff alleges Defendant violated a federal statute, the FDCPA.

6. Pursuant to 28 U.S.C. § 1441, this cause may be removed from the Circuit Court of Jackson County, Missouri to the United States District Court for the Western District of Missouri.

7. Defendant was served with the Summons and Petition on or about March 11, 2020. This removal is therefore timely pursuant to 28 U.S.C. § 1446(b).

8. By this Notice of Removal, Defendant does not waive any defense, jurisdictional or otherwise, which it may possess. Defendant also does not concede that Plaintiff has stated a claim against it.

WHEREFORE, in accordance with the authorities set forth above, Defendant hereby removes this action from the Circuit Court of Jackson County, Missouri to the United States District Court for the Western District of Missouri.

DATED this 7<sup>th</sup> of April, 2020.

Respectfully submitted,  
SPENCER FANE LLP

By: s/ Joshua C. Dickinson

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Joshua C. Dickinson MO Bar No. 51446  
Kersten L. Holzhueter MO Bar No. 62962  
1000 Walnut, Suite 1400  
Kansas City, MO 64106  
Telephone: (816) 474-8100  
Facsimile: (816) 474-3216  
E-mail: [jdickinson@spencerfane.com](mailto:jdickinson@spencerfane.com)  
[kholzhueter@spencerfane.com](mailto:kholzhueter@spencerfane.com)

ATTORNEYS FOR DEFENDANT

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document was filed electronically with the United States District Court for the Western District of Missouri this 7<sup>th</sup> day of April, 2020, with a true copy sent via e-mail transmission to Plaintiff's attorneys addressed as follows:

Ryan M. Callahan, [ryan@callahanlawkc.com](mailto:ryan@callahanlawkc.com)

James R. Crump, [james@callahanlawkc.com](mailto:james@callahanlawkc.com)

s/ Joshua C. Dickinson

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